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PAGE 1/8 \* RCVD AT 8/11/2004 3:05:16 PM [Eastern Daylight Time] \* SVR:USPTO-EFXXRF-1/5 \* DNIS:8729306 \* CSID:3128278000 \* DURATION (mm-ss):02-14

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<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			<b>Docket No.</b> 112857-265
Applicant(s) Oba et al.			
Application No. 09/705,035	Filing Date November 2, 2000	Examiner J. Michalski	Group Art Unit 2644
Invention:	PORTABLE AUDIO LISTENING APPARATUS		
I hereby certify that this <u>Transmittal Letter and Preliminary Amendment</u> (Identify type of correspondence)			
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9306</u> )			
on	<u>August 11, 2004</u> (Date)		
		Julie A. Jager (Typed or Printed Name of Person Signing Certificate)	
		<u>Julie A. Jager</u> (Signature)	
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<b>TRANSMITTAL LETTER</b> (General - Patent Pending)					<b>Docket No.</b> 112857-265				
In Re Application Of: Oba et al.									
Application No. 09/705,035	Filing Date November 2, 2000	Examiner J. Michalski	Customer No. 29175	Group Art Unit 2644	Confirmation No. 6839				
Title: PORTABLE AUDIO LISTENING APPARATUS									
<p style="text-align: center;"><u>COMMISSIONER FOR PATENTS:</u></p> <p>Transmitted herewith is: Preliminary Amendment (5 pgs.).</p> <p>in the above identified application.</p> <p><input checked="" type="checkbox"/> No additional fee is required. <input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below.</p> <p><input type="checkbox"/> Charge the amount of _____ <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required.</p> <p style="text-align: center;"><b>BEST AVAILABLE COPY</b></p> <p style="text-align: right;">Dated: August 11, 2004</p> <p style="text-align: center;"> _____ Signature</p> <p>Thomas C. Basso Reg. No. 46,541 BELL, BOYD &amp; LLOYD LLC P.O. Box 1135 Chicago, IL 60690-1135 Phone: 312-807-4310</p> <p>cc:</p> <table border="1" style="width: 100%;"><tr><td>I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</td></tr><tr><td>_____ Signature of Person Mailing Correspondence</td></tr><tr><td>_____ Typed or Printed Name of Person Mailing Correspondence</td></tr></table>							I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	_____ Signature of Person Mailing Correspondence	_____ Typed or Printed Name of Person Mailing Correspondence
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Applicant(s): Oba et al.  
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Examiner: J. Michalski  
Docket No.: 112857-265

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PRELIMINARY AMENDMENT**

Sir:

Please amend the above-identified patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 5 of this paper.

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